

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MILWAUKEE HEALTH SERVICES, INC.,

Plaintiff,

v.

Case No. 2:13-CV-00797-RTR

BUSINESS COMPUTER APPLICATIONS,
INC.,

Defendant.

ORDER FOR TEMPORARY RESTRAINING ORDER

This cause coming to be heard on Plaintiff's Motion for Temporary Restraining Order, no notice having been given; the Court having considered Plaintiff's affidavit submitted in support of proceeding without notice, Plaintiff's Complaint, Plaintiff's Motion for Temporary Restraining Order and Plaintiff's Memorandum of Law and Affidavit in support t hereof, finds as follows:

1. Plaintiff has shown that there is a strong probability that a serious risk to the health and safety of Plaintiff's patients will occur if notice is served prior to a hearing on Plaintiff's Motion for Temporary Restraining Order;
2. Plaintiff has shown that it has a clearly ascertainable right in need of protection, namely that it needs access to its patients' records for purposes of treatment;
3. Plaintiff has shown that there is a fair question that Plaintiff will succeed on the merits; and
4. Plaintiff has shown that it will suffer irreparable harm if an injunction does not issue and that it has no adequate remedy at law because the health and safety of its patients will be compromised without access to patient records;

WHEREFORE, IT IS HEREBY ORDERED:

A. Defendant is required to provide complete, unrestricted access to all medical records and assist Plaintiff with securing those records so that Plaintiff can use those records immediately for treating its patients.

B. This Temporary Restraining Order shall remain in full force and effect for fourteen days from the date hereof or until ____ [a.m.] [p.m.] on _____, 2013, unless sooner modified or dissolved by this Court.

C. This Temporary Restraining Order is conditioned upon Plaintiff filing a surety bond in the amount of \$_____ in form approved by this Court.

D. This Temporary Restraining Order is entered at _____ [a.m.] [p.m.] on _____, 2013.

Entered this ____ day of _____, 2013

Honorable Rudolph T. Randa
United States District Court Judge